



# RHODE ISLAND FED

## INSIDE THIS ISSUE

<i>Federal Drug Cases</i>	2
<i>Federal Gun Cases</i>	3
<i>Criminal Docket Sheet</i>	4
<i>Civil Docket Sheet</i>	5

## POINTS OF INTEREST

<i>18-year old gang member prosecuted</i>	2
<i>A prosecutor's year in Iraq</i>	7
<i>A Cultural Journey</i>	6
<i>Domestic violence sentence affirmed</i>	4

## THREE SENTENCED IN CORRUPTION PROBE

“Our mission is to root out the corruption that has existed, and level the playing field for all who do business with our government.” That’s what U.S. Attorney Robert Clark Corrente said after a former state senator and two former hospital officials were sentenced for corruptly influencing the fate of legislation in the Rhode Island General Assembly. He was speaking not just of the sentencings that day by Senior U.S. District Court Judge Ernest C. Torres, but of a broadening investigation by the U.S. Attorney’s Office, the FBI, the Rhode Island State Police, and other agencies into alleged corruption at the State House.

Judge Torres sentenced former Senator **John Celona** to 30 months in federal prison. Celona pleaded guilty to taking payments to do the bidding of corporations with business before

the State Senate. **Robert Urciuoli**, the former president of Roger Williams Medical Center, was sentenced to 36 months for corruptly hiring Celona, ostensibly as a consultant, but in reality to affect legislation in which the medical center had an interest. **Frances P. Driscoll**, who at one time was the medical center’s vice president for public affairs, was sentenced to eight months in prison and eight months home confinement for her role in directing Celona’s activities at the legislature in relation to the hospital.

Celona was a member, and later chairman, of the Senate Corporations Committee, a position that afforded him considerable influence over the fate of legislation affecting Roger Williams and other entities.

The U.S. Department of Labor and the Internal Revenue Service have joined the FBI and the State Police in the investigation.



# FEDERAL DRUG CASES

## Four guilty in “Operation Crackdown”

An eight month investigation by the DEA Task Force and Providence Police focused on drug trafficking in the Lockwood Plaza residential development. Five defendants have pleaded guilty to federal charges – **Fernell**



**Brown, Ronald Hill, Donnell Jenkins, and Daniel McLain** admitted selling various amounts of crack cocaine. Federal charges are pending against three others, and state charges were brought against about 70 other suspected drug traffickers. In an approach based on an initiative in High Point, North Carolina, Providence Police, working with the Urban League and other agencies, identified several candidates for anti-crime intervention.



The candidates are first time offenders, some of them juveniles who were allegedly caught selling drugs, and they will be given the opportunity to participate in job training, education, and drug treatment programs as a potential alternative to prosecution. *Assistant U.S. Attorney Sandra R. Beckner*

## Ten year sentence for crack dealer who rammed undercover car



Middletown and Newport police were investigating **Germane Edelen** for suspected crack trafficking. Two detective vehicles boxed in Edelen's car at a drive-through window of a doughnut shop. Edelen rammed his car into a Newport officer's unmarked van, causing serious injuries to the officer. Detectives found about 16 grams of crack in 32 bags in Edelen's car. A federal judge sentenced him to ten years in prison – a four year increase under federal guidelines because Edelen caused a risk of injury to the officers. *Assistant U.S. Attorney James H. Leavey*



## 18-year old gang member prosecuted federally in “Zero Tolerance” policy

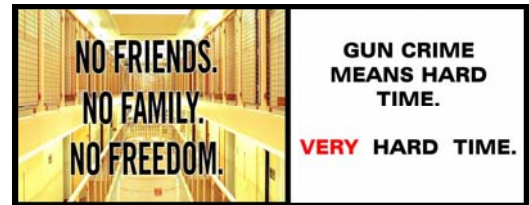


**Junior Ry** was barely 18 when Providence Police seized 14 small packages of crack cocaine from him; they also seized a handgun from a car in which he was riding. Ry admitted that the drugs and the gun were his. His age, the amount of crack, and his lack of a prior record made him an unlikely candidate for federal prosecution. However, Ry is an admitted member of the Providence Street Boyz, a local street gang, so he was targeted for federal prosecution as part of the U.S.



Attorney's zero tolerance policy for gang activity. The objective is to prosecute any federal offense committed by a gang member, no matter how insignificant, and regardless of whether the defendant has a prior criminal record. Ry has pleaded guilty to the drug charge and is detained awaiting sentencing. *Assistant U.S. Attorney Richard W. Rose*

# FEDERAL GUN CASES



## Crack-for-guns trade nets a 15-year prison sentence



**Richard Vanenburg** traded about five grams of crack for two handguns outside a Westerly restaurant. He was dealing with an undercover ATF agent, who, along with Westerly Police, arrested Vanenburg immediately after the trade had been made. The combination of guns and drug trafficking, along with Vanenburg's prior record, resulted in a 15-year federal prison sentence. *Assistant U.S. Attorneys Stephen Dambruch and Stephanie S., Browne*

## Guilty pleas in straw-buying, felon cases

**Antonio Neri** fired a gun in a Providence park, and then tossed it away when police arrived. Officers recovered the gun, a nine millimeter pistol, and determined that Neri, who was convicted in 1997 in a drive-by shooting, was a felon and not allowed to possess a gun. Further investigation by the Bureau of Alcohol, Tobacco, Firearms and Explosives determined that **Hommy Acevedo** had purchased that gun and two others for Neri. Acevedo posed as the buyer, but Neri picked out the guns and gave him the money. The practice is known as straw buying and is illegal under federal law. Both men pleaded guilty. *Assistant U.S. Attorney Peter F. Neronha*



## Two plead guilty in scheme to smuggle guns to Guatemala



**Carlos Vega** and **Juan Orellana** bought guns from an undercover Warwick detective. ATF had developed information that illegal aliens wanted to smuggle guns to Guatemala. Vega and Orellana met with the undercover detective and bought a semi-automatic pistol and a .22 caliber rifle. They pleaded guilty to being illegal aliens in possession of firearms, and charges are pending against two other defendants who allegedly bought guns — another .22 caliber rifle and a Mac-11 fully automatic pistol. *Assistant U.S. Attorney Peter F. Neronha*

## Eight-year sentence for crack cocaine and a gun



Providence Police detectives executed a search warrant at **Jose Diaz**'s apartment. They found 26 packages of crack cocaine and a .44 caliber handgun, which was equipped with a scope. Diaz had several prior convictions, including a 1997 felony drug-trafficking conviction. He pleaded guilty and was sentenced to eight years in prison. *Assistant U.S. Attorney Peter F. Neronha*

# CRIMINAL DOCKET SHEET

**Did you know?** There is no parole from a federal prison sentence — A prisoner must serve at least 85% of a sentence — 15% can be deducted for good behavior.



For more about federal sentencing, visit  
<http://www.ussc.gov/>

## Appeals Court affirms nine-year sentence in domestic violence case

The First Circuit Court of Appeals has affirmed a nine-year prison sentence imposed on **Joseph Nicolella**, who drove his estranged wife from Chepachet, Rhode Island, to Killingly, Connecticut, where he repeatedly assaulted her. “We’re going to Connecticut because the cops don’t know me there,” he told her. By crossing the state line, Nicolella violated federal laws against traveling interstate to commit domestic assault and traveling interstate to violate a domestic violence protective order, both of which were enacted as part of the 1994 Violence Against Women Act. The Court of Appeals held that U.S. District Court Judge Ernest C. Torres appropriately factored kidnapping conduct into the sentence, and also held that the facts warranted the sentence imposed.

*Assistant U.S. Attorney’s Donald C. Lockhart and Gerard B. Sullivan*



## Anthony St. Laurent is sentenced for extortion



**Anthony St. Laurent** sent associates to Taunton to shake down two men for \$200,000. They didn’t find their targets, but the FBI was monitoring the activity. St. Laurent, who has a long criminal record for gambling and extortion, pleaded guilty to extortion and was sentenced to 56 months in federal prison; the sentence includes time for violating terms of a supervised release from a 1999 federal extortion conviction. *Assistant U.S. Attorneys Peter F. Neronha and James H. Leavey*

## Guilty plea in fraudulent marriage scheme

**Carlos Alberto Da Veiga** arranged fraudulent marriages between U.S. citizens and illegal aliens so the aliens could apply for permanent resident cards (green cards). He brought the couples from Massachusetts to Rhode Island for the marriage licenses because Rhode Island does not require a waiting period to get married. The Cumberland Town Clerk alerted the Bureau of Immigration and Customs Enforcement about the suspicious activity, and ICE developed evidence that Da Veiga had arranged at least 15 marriages for aliens from Brazil and Cape Verde. *Assistant U.S. Attorney Lee H. Vilker*



## Bank fraud sentence increased for obstruction



**Franklin Lora** had checking accounts opened and arranged for the deposit of about \$80,000 worth of fraudulent checks. He pleaded guilty to bank fraud after one of his accomplices – his girlfriend – cooperated with the government. While awaiting sentencing, he accosted his girlfriend, violating an order to stay away from her, raped her, and then fled to Florida. A federal judge agreed with the government that Lora’s flight constituted



obstruction of justice, and sentenced him to 37 months in prison – about two years longer than the sentence would have been for the bank fraud alone. The state is investigating the rape allegation. *Assistant U.S. Attorney Andrew J. Reich*



# CIVIL DOCKET SHEET

## Financial Litigation Unit collects record amount in fiscal 2006



For years, Ogden Mills Fell, a bookkeeper for a family-owned electric motor repair company, systematically wrote checks for himself against his employer's account – a total of \$375,249 — causing severe financial hardship to the family that owned the company. In 2005, Fell was sentenced to 18 months in prison and ordered to repay the company. In fiscal 2006, the U.S. Attorney's Office Financial Litigation Unit (FLU) collected the last of the restitution that he owed to the company – \$213,250.

That was one of the significant collections that the FLU made in Fiscal 2006, which ended September 30. In all, the unit collected \$6.7 million, a record amount. The total includes \$1.4 million in civil collections, \$3.6 million in criminal fines and assessments (Fell's restitution falls into that category), and \$1.7 million in asset forfeiture collections.

Among the asset forfeiture collections the FLU realized last year was \$1.2 million from the sale of an apartment on West 70th Street in New York City. Marvin D. Heldeman, known as "Dr. Marvin, the Bodybuilder's Friend," forfeited the apartment because he used it for drug trafficking. Heldeman, a dermatologist, wrote unnecessary prescriptions for steroids and painkillers for bodybuilders who posed for him in that apartment. The prescriptions were filled at Rhode Island pharmacies. In 2004, Heldeman was sentenced to 46 months in prison for health care fraud and drug trafficking. (*see RI Fed, Fall, 2006*)

Also in fiscal 2006, the FLU collected \$880,539 from Antonio L Giordano, who, along with co-defendant John Montecalvo, admitted causing three federally backed nursing homes that he owned to make about \$780,000 in unreasonable and unnecessary payments when the homes were operating in the red. The criminal collection included a \$100,000 fine against Giordano and \$780,539 in restitution.

Each fiscal year, the Financial Litigation Unit generates collections above or near the office's operating expenses. Last year, the total operating expenses for the office were about \$5,300,000, and the FLU generated \$5,000,000 in collections for the United States, plus an additional \$1.5 million in restitution for non government victims. *Assistant U.S. Attorney Michael P. Iannotti, Paralegal Specialist Sandra L. Mascola*



Hillside Nursing Home, which closed before owner Antonio Giordano was sentenced to prison. It was one of three that factored into his conviction for illegal expenditures.

*Coming in the Spring issue of RI Fed:*



**project safe childhood**  
Protecting Children from Online Exploitation and Abuse

# ANTI-TERRORISM: BEYOND THE PROFILES — CULTURAL JOURNEYS

BY BRIAN J. PIRES

*In December, the U.S. Attorney's Anti-Terrorism Advisory Council (ATAC) sponsored a workshop for local, state and federal officers to increase communication skills and foster greater understanding between law enforcement and Arab and Muslim Americans.*

Professor Mohamad Zef Zaf, an American Muslim, invited officers to accompany him on a Cultural Journey, as he led them from his upbringing in Morocco, through his teenage years in Brussels, to his life in the United States as a teacher, father, American, and Muslim. He pointed out that every human being is many things at many times, alternately defined by family, employment, and religion. To view someone through only one filter is to deny opportunities to find commonality and to further dialog.

Professor Zef Zaf urged the officers to participate in a culture shifting exercise, to drop their cultural filters and see the world through another's eyes. He projected a series of images onto a screen and challenged the participants to describe the images through another's lens. Images of the cast of the popular television series *Sex in the City* were set in contrast with images of Muslim women in burqas. A Moroccan Muslim was contrasted with a Saudi...an American cowboy with a New York City executive, all with the intent of pointing out that just as all Americans are not alike, neither are all Muslims.

He also contrasted Americans' conversational style with the Arab construct, in which conversation is slow and deliberate, as the parties show that they respect each other and want to get to know each other. He stressed that American law enforcement officers are constantly looking for a checklist, a simple formula for detecting deception or identifying the bad guy. Prof. Zef Zaf said, for many reasons, this approach will not work with Arabs, primarily because saving face and protecting the family reputation are more important than "just the facts." The average Arab and Muslim will want to tell the truth, but it may take him a while to get there, as he may need to explain his thoughts and feelings.

According to Prof. Zef Zaf, we can either chose to put people into neat little boxes, based on our pre-conceptions, or we can engage in our own Cultural Journey of continuous learning and awareness. The Cultural Journey ends when we can honestly say we are active listeners and approach every interview carefully, with a willingness to learn and find the truth, not only about the content and facts, but about the person in front of us. What will work best in the end for law enforcement is a capability of reading people. If an interviewer listens carefully, the ability to detect deception will follow, as will the ability to identify the true radical, the person who wishes us harm.

*Brian J. Pires is the Anti-Terrorism Intelligence Specialist with the U.S. Attorney's Office.*

The Anti-Terrorism Advisory Council, formed after September 11, 2001 at the direction of the United States Attorney General, consists of federal, state, and local law enforcement agencies in Rhode Island. Its goal is foster anti-terrorism information sharing within the law enforcement community.

# A PROSECUTOR'S YEAR IN IRAQ

**By Assistant U.S. Attorney Stephen G. Dambruch**

In 2005, the Department of Justice selected me to go to Iraq as part of a detail with the Regime Crimes Liaison's Office (RCLO), which assists Iraqi officials prosecuting former officials of Sadaam Hussein's regime.

The RCLO is staffed by lawyers and investigators from federal agencies within the Departments of Justice, State, and Defense. Its mission is to assist the Iraqi High Tribunal (IHT) in its investigation and prosecution of war crimes and crimes against humanity allegedly committed by members of the former Ba'thist Regime. The assistance that the RCLO provides ranges from providing advice on complex legal issues to helping resolve mundane physical plant problems at the IHT Courthouse.



A defense lawyer argues his case before the Iraqi High Tribunal, which Assistant U.S. Attorney Stephen Dambruch assisted during his assignment to the Regime Crimes Liaison Office. *Media pool photograph*

My primary assignment was to help a panel of IHT investigative judges with their investigation of war crimes and crimes against humanity that Saddam and his associates committed against the Shia population in southern Iraq in response to an uprising in 1991. Those crimes included the possible use of chemical weapons, indiscriminate targeting of civilian populations during combat operations, and the government's widespread abduction, torture, and execution of civilians after the uprising had ended. We provided the judges with legal advice, attended interviews of suspects at a detention center, and traveled to various locations in Iraq to gather additional evidence.

Among the places that I visited during these investigative trips were Falujah, Amarah, Basrah, Hilla (Babylon), and a mass grave site near Karbala.

I also served in various support roles in prosecutions concerning the arrest and execution of more than 140 Shiite residents of the town of Dujail. Sadaam's regime retaliated against Dujail townspeople after an alleged attempt to assassinate Saddam. I also helped on a case involving the alleged forced relocation and mass killing of Kurds in northern Iraq.

The RCLO provided logistical assistance to defense counsel as well as to the trial judges and prosecutors. I also served as the RCLO's liaison with senior American and other foreign government officials who attended the trial.

I spent 10 months in Iraq. It was a fascinating experience that provided me with great insight about a part of the world, a legal system, and a culture that I had known little about. I am grateful to the U.S. Attorney for allowing me to undertake the detail in Iraq. I am also grateful to my colleagues in the U.S. Attorney's office, who had to pick up my workload while I was gone. In that sense, it wasn't just my detail, it was everyone's.

---

# U.S. ATTORNEY'S OFFICE RHODE ISLAND



---

Phone: 401-709-5000

Fax: 401-709-5001

U.S. Attorney	Robert Clark Corrente
First Assistant	Luis M. Matos
Criminal Chief	Stephen G. Dambruch
Civil Chief	Dulce Donovan
Firearms	Peter F. Neronha
Narcotics	Mary E. Rogers
Anti-Terrorism	Lee H. Vilker
	Brian J. Pires
Victim Assistance	Gale E. James
Public Information	Thomas M. Connell

Web site: <http://www.usdoj.gov/usao/ri/>



U.S. Attorney's Office—District of Rhode Island  
50 Kennedy Plaza, 8th floor  
Providence, Rhode Island 02903